

REMARKS

Status of this application

In the outstanding Office Action, claim 11 was objected to for containing a typographical error, and claims 4-5 were rejected under 35 USC 112 for containing terms not having proper antecedents. The foregoing amendments are believed to correct these errors.

Claims 1-20 were rejected under 35 USC 103(a) as being directed to subject matter which the Examiner contends to be obvious in view of the combined teachings of Levy et al Patent 6,505,160 and Enomoto et al. Patent 5,659,877. Reconsideration of this rejection is requested for the reasons presented below.

The Obviousness Rejection

Reconsideration of the rejection of claims 1-20 under Section 103(a) is requested since the cited disclosure in the principal reference, Levy et al. Patent 6,505,160, is not prior art with respect to the present application.

The present application was filed on March 28, 2000, before the May 2, 2000 filing of the application for the cited Levy et al. patent.

The present application is further entitled to the benefit of a filing date at least as early as March 29, 1999. This application is a continuation in part of and claims the benefit of the filing date of U.S. Application Serial No. 08/780,669 filed on January 7, 1997, now U.S. Patent 6,088,455, and further claims the benefit of the filing date of U.S. Provisional Patent Application Serial No. 60/126,758 filed on March 29, 1999 as well as co-pending Application Serial No. 09/238,948 filed on January 27, 1999, which was a continuation-in-part of U.S. Application Serial No. 08/723,641 filed on October 3, 1996, now U.S. Patent 5,892,536.

A significant portion of the present application substantially duplicates the disclosure of the application for Patent 6,088,455 filed on January 7, 1997; specifically, in the present application, the subject matter disclosed in Figs. 1-4 and page 2, line 9 through page 7, line 16; page 8, lines 7-15; and page 8, line 23 through page 22, line 25 also appears in the parent application now Patent 6,088,455 filed on January 7, 1997. A copy of parent patent 6,088,455 is attached for comparison.

The remaining subject matter shown in Figs. 5 and 6 of the present application and described at page 22, line 26 through page 32, line 36 substantially duplicates the specification found in Provisional Patent Application Serial No. 60/126,758 filed on March 29, 1999. A copy of Provisional Application 60/126,758 is attached for comparison.

It is accordingly submitted that the effective priority date for all claims as presented in this application is at least as early as March 29, 1999, the filing date of the parent provisional application.

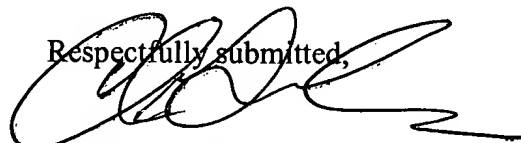
The application for the cited Levy et al. Patent 6,505,160 was filed on May 2, 2000 and is a continuation in part of U.S. patent application Ser. No. 09/476,686, filed Dec. 30, 1999, which claims priority to U.S. Provisional Application No. 60/134,782, filed May 19, 1999. Both of these two parent applications were filed later than applicants' latest effective filing date.

The Levy et al. Patent is also a continuation in part of U.S. patent application Ser. No. 08/746,613 filed Nov. 12, 1996 (now U.S. Pat. No. 6,122,403) which is a continuation in part of an earlier parent applications. However, even though Levy et al. make a claim to the benefit of the filing date of the application for patent 6,122,403, a comparison of the disclosures of the cited Levy et al. Patent 6,505,160 reveals little common disclosure between the two. In particular, none of the passages of the disclosure of the Levy et al. Patent 6,505,160 that were cited in the outstanding Office Action have been located in Patent 6,122,403. A copy of patent 6,122,403 is attached for comparison.

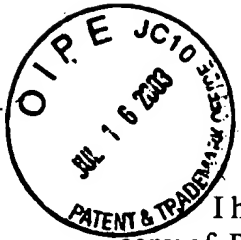
Because the cited disclosure of the principal reference is not prior art with respect to the present application, it is requested that the rejection of claims 1-20 based on this reference be reconsidered and withdrawn.

Dated: July 14, 2003

Respectfully submitted,



Charles G. Call, Reg. 20,406
USPTO Customer No. 021253
68 Horse Pond Road
West Yarmouth, MA 02673
Ph. (508) 778-2630 Fax (508) 629-6540



Certificate of Mailing under 37 CFR 1.8

I hereby certify that this Amendment, a request for an one-month extension of time, a copy of Provisional Application 60/126,758, and a copy of Patents 6,088,455 and 6,122,403, are being deposited in the U.S. Mail with sufficient postage in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, Va 22313-1450 this fourteenth day of July, 2003..

Dated: July, 14 2003

Signature

Charles G. Call, Reg. No. 20,406

USPTO Customer No. 021253

68 Horse Pond Road

West Yarmouth, MA 02673

Ph. (508) 778-2630 Fax (508) 629-6540

call@patentsoft.com

RECEIVED

JUL 21 2003

Technology Center 2100